

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

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FM USMISSION USBERLIN

TO SECSTATE WASHDC 746

AMEMBASSY BONN

INFO AMEMBASSY BERLIN

LONDON 7095

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L USBERLIN 672

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, UR

SUBJECT: SOVIET STATEMENT ON S-BAHN SEARCHES

1. SOVIET EMBASSY COUNSELLOR KHOTULEV CALLED ON BRITISH (CHAIRMAN) POLAD APRIL 7 INTER ALIA TO DELIVER FOLLOWING STATEMENT REGARDING SEARCHES CONDUCTED BY WEST BERLIN POLICE ON S-BAHN SYSTEM DURING LORENZ KIDNAPPING: BEGIN TEXT: ON MARCH 5 OF THIS YEAR MEMBERS OF THE WEST BERLIN POLICE ENCROACHED UPON TERRITORY BELONGING TO THE GDR RAILWAYS IN THE WESTERN SECTORS OF BERLIN AND UNDER THE PRETEXT OF A SEARCH FOR THE KIDNAPPERS OF THE CHAIRMAN OF THE WEST BERLIN CDU, P. LORENZ, CARRIED OUT A CHECK OF PASSENGERS AND ALSO A SEARCH OF RAILWAY OFFICE ACCOMMODATION.

SUCH ACTIVITIES WERE NOT ONLY QUITE ILLEGAL, BUT HAD NO PURPOSE FROM A PRACTICAL POINT OF VIEW, WHEN ACCOUNT IS TAKEN OF THE FACT THAT THE GDR AUTHORITIES IMMEDIATELY AFTER THE KIDNAPPING OF LORENZ THEMSELVES TOOK ALL INVESTIGATORY MEASURES. IT IS DIFFICULT TO SEE  
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IN THIS ANYTHING BUT THE USUAL ATTEMPT TO MAKE UNTENABLE

CLAIMS ON THE RAILWAYS IN THE WESTERN SECTORS OF BERLIN, AND TO CAST DOUBT ON THEIR LEGAL AND PRACTICAL STATUS.

THE SOVIET SIDE IN THE PAST DREW THE ATTENTION OF THE USA, GREAT BRITAIN, AND FRANCE TO THE FACT THAT THE ILLEGAL PRETENSIONS OF THE SENAT AUTHORITIES ARE COMPLETELY INADMISSIBLE AND COULD LEAD TO UNNECESSARY COMPLICATIONS AND, IN PARTICULAR, TO POSSIBLE INTERFERENCE OF TRANSIT COMMUNICATION BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FRG. IN CONFIRMING ITS POSITION ONCE MORE, THE SOVIET SIDE EXPECTS THAT THE AUTHORITIES OF THE THREE WESTERN POWERS IN THE WESTERN SECTORS OF BERLIN WILL TAKE APPROPRIATE MEASURES TO PUT AN END TO THE ILLEGAL ACTIVITIES OF THE SENAT AUTHORITIES. END TEXT.

2. BRITISH POLAD REPLIED INFORMALLY THAT ALLIED VIEWS AS TO STATUS OF S-BAHN IN WESTERN SECTORS DIFFERED FROM THOSE OF SOVIETS. SEARCHES WERE CONDUCTED TO LOOK FOR TERRORISTS, AND HE UNDERSTOOD THAT SOVIETS SUPPORTED ANTI-TERRORIST MEASURES. KHOTULEV CONCURRED IN LATTER. BRITISH POLAD WENT ON TO SAY THAT SEARCHES WERE CONDUCTED WITH ALLIED AUTHORIZATION IN ACCORDANCE WITH LONG-STANDING ALLIED LEGISLATION REGARDING REICHSBAHN. OUT OF COURTESY, FRENCH MISSION (IN CHAIR IN MARCH) HAD INFORMED SOVIET EMBASSY OF ACTIONS TO BE TAKEN ON S-BAHN BEFORE THESE WERE IMPLEMENTED. KHOTULEV SAID HE HAD NOT HEARD OF THIS BUT WOULD INVESTIGATE. HE POINTED OUT THAT HE WISHED TO AVOID FURTHER COMPLICATIONS, AND THAT IT WAS DIFFICULT IF ONE SIDE ACTED WITHOUT OTHERS. MATTER WAS, HOWEVER, COMPLICATED ONE, AND HE WISHED TO LOOK INTO IT FURTHER.

3. COMMENT: IT WOULD APPEAR THAT SOVIETS HAVE FACTORED OUT THEIR PROTEST OVER LORENZ AFFAIR, HITTING ALLEGED FRG VIOLATIONS WITH AMBASSADORS AND IN CAPITALS AND LEAVING TO POLAD CHANNEL SINGLE INCIDENT THAT THEY CAN IDENTIFY AS SENAT INITIATIVE. SOVIET CLAIM ON ALLEGED INCOMPETENCE OF BERLIN AUTHORITIES TO CARRY OUT POLICE FUNCTIONS ON REICHSBAHN PROPERTY IN WESTERN SECTORS IS FAMILIAR ONE. GDR HAS PROTESTED IN SOME FASHION EACH CONFIDENTIAL

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TIME POLICE HAVE PERFORMED SIGNIFICANT INVESTIGATORY ROLE ON REICHSBAHN PROPERTY, USUALLY BY STATEMENT IN NEUES DEUTSCHLAND OR TELEX TO SENAT. THIS IS FIRST TIME SINCE QA TO OUR RECOLLECTION, HOWEVER, THAT SOVIETS HAVE JOINED IN THIS PARTICULAR GAME. WHILE ALLIED AUTHORIZATION TO POLICE AND PRIOR NOTIFICATION TO SOVIETS MIGHT BE INCLUDED IN ALLIED RESPONSE TO SOVIET STATEMENTS IN CAPITALS AS EXAMPLE OF WAY IN WHICH WE PERFORMED OUR

SUPERVISORY RESPONSIBILITIES DURING LORENZ CRISIS, WE  
ARE INCLINED TO BELIEVE THAT BRIEF ANSWER SHOULD ALSO  
BE GIVEN IN BERLIN POINTING OUT SUBSTANTIAL PRECEDENTS,  
PRIOR ALLIED AUTHORIZATION, COURTESY INFORMATION TO  
SOVIETS IN ADVANCE OF OPERATION AND FACT THAT, REGARDLESS  
OF WHAT MEASURES GDR MAY HAVE INITIATED VOLUNTARILY  
TO ASSIST IN SEARCH FOR LORENZ KIDNAPPERS, GDR HAS NO  
COMPETENCE TO PERFORM INVESTIGATORY POLICE FUNCTIONS IN  
WESTERN SECTORS. END COMMENT. GEORGE

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## Message Attributes

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